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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,927	02/26/2008	Philippe Ceulemans	4021-9US	2334
86022	7590	09/01/2010	EXAMINER	
Jerold I. Schneider			CHIN, HUI H	
525 Okeechobee Blvd.				
Suite 1500			ART UNIT	PAPER NUMBER
West Palm Beach, FL 33401			1796	
			MAIL DATE	DELIVERY MODE
			09/01/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/564,927	<b>Applicant(s)</b> CEULEMANS ET AL.	
	<b>Examiner</b> HUI CHIN	<b>Art Unit</b> 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 19-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 19-46 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The office action is in reference to the Amendment, filed on 7/15/2010.

Claims 19-46 are now pending.

2. In view of the Response, the previous rejection of claims 19-23, 25-31, and 33-41 under 35 U.S.C. 103(a) as being unpatentable over Duerr (US Patent 5,512,618) in view of Hawrylko (US Patent 4,727,091), claim 24 under 35 U.S.C. 103(a) as being unpatentable over Duerr (US Patent 5,512,618) in view of Hawrylko (US 2002/0033116), and further in view of Charbonneau et al. (US Patent 4,404,246), claim 32 under 35 U.S.C. 103(a) as being unpatentable over Duerr (US Patent 5,512,618) in view of Hawrylko (US 2002/0033116), and further in view of Columbus et al. (US Patent 5,322,880) are withdrawn.

### *Claim Objections*

3. Claims 19 and 43 are objected to because of the following informalities:

Claim 19, line 5: "CH<sub>2</sub>=CHR-COOH" is suggested to be changed to -- CH<sub>2</sub>=CR-COOH --;

Claim 43, line 5: "CH<sub>2</sub>=CHR-COOH" is suggested to be changed to -- CH<sub>2</sub>=CR-COOH --.

Appropriate corrections are required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 19, 21 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Is the high molecular weight referring to the crosslinked polymer or crosslinking agent?

***Allowable Subject Matter***

6. Claims 19-46 are allowable over the closest reference: Duerr (US Patent 5,512,618).

Duerr discloses a liquid adhesive composition for manufacturing corrugated paperboard, consisting essentially of: an effective amount of a starch whose chemical composition is characterized by having a substantially straight-chain configuration; a suspension-enhancing agent which includes a synthetic liquid polymer component that is a copolymer based upon an acrylic-acid monomer and an aromatic monomer substituted with an acrylate compound, and includes an effective amount of the alcohol-ester coalescing agent 2,2,4-trimethyl-1,3-pentanediol mono(2-methylpropanoate), and which polymer component is emulsifiable in the composition, and is capable of enhancing suspension of such starch; water; and with the overall composition including between 0.5%-1.0% by weight of the suspension-enhancing agent, between 21.5-25.5% by weight of the starch, and between 73.5-78% by weight of the water (claim 1).

However, Duerr does not teach or fairly suggest the claimed adhesive composition comprising an amount of an adhesive and an amount of at least one

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additive, wherein the additive comprises: a. at least one homopolymer of an alpha beta-unsaturated monocarboxylic acrylic acid having 3-5 carbon atoms, b. or at least one copolymer thereof with at least one alkyl, the at least one homo- or copolymer being cross-linked with a cross-linking agent which is a polyfunctional alkylalkylene or a polyfunctional alkyalkylidene monomer containing at least two terminal methylene  $\text{CH}_2=\text{C}$  groups, and having a molecular weight of between 0.05 billion Dalton- 100 billion Dalton.

In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUI CHIN whose telephone number is (571)270-7350. The examiner can normally be reached on Monday to Friday; 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ling-Siu Choi/  
Primary Examiner, Art Unit 1796

/HC/